



3426

<b>TRANSMITTAL FORM</b> (To be used for all correspondence after initial filing)	Application Number	10/016,506	
	Filing Date	December 10, 2001	
	Confirmation Number	9080	
	Inventor(s)	PAWLIKOWSKI et al.	
	Group Art Unit	3626	
	Examiner	Morgan, R.	
Total Number of Pages in This Submission:	8	Attorney Docket No.	00-22

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form (submit in duplicate)	<input type="checkbox"/> Assignment Papers	<input type="checkbox"/> Issue fee Transmittal Form PTOL-85(b) + (c) and cover sheet
<input type="checkbox"/> Fee Attached \$ <input type="text"/>	<input type="checkbox"/> Cover Sheet	<input type="checkbox"/> After Allowance Communication to Group
Check No.: <input type="text"/>	<input type="checkbox"/> Drawing Change Authorization Request and Amended Figure(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment / Response	<input type="checkbox"/> Request for Return of PTO-1449 Forms	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to the Commissioner	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits / Declaration(s)	<input type="checkbox"/> To Convert a Provisional Application	<input type="checkbox"/> Status Request Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Address	<input type="checkbox"/> Small Entity Statement
<input checked="" type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Terminal Disclaimer(s)	<input type="checkbox"/> Request for Refund
<input checked="" type="checkbox"/> Form PTO-1449	<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> Response to Missing Parts / Incomplete Application
<input checked="" type="checkbox"/> Cited References	<input type="checkbox"/> Request for Corrected Filing Receipt	<input type="checkbox"/> Response to File Corrected Application Papers
<input type="checkbox"/> Search report		
<input type="checkbox"/> Drawing(s): Number of Pages <input type="text"/>	<input checked="" type="checkbox"/> Other Enclosure(s): <u>Written Opinion</u>	
Number of Figs. <input type="text"/> and cover sheet		
<input type="checkbox"/> Formal		
<input type="checkbox"/> Informal		

Current Due Date: None

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Individual and Company	Michael W. Haas, Reg. No. 35,174 RESPIRONICS, Inc., 1010 Murry Ridge Lane, Murrysville PA, 15668
Signature	<i>Michael W. Haas</i>
Date	December 23, 2003

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CERTIFICATE OF MAILING			
I hereby certify that this correspondence and all enclosures are being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA, 22313-1450 on this date: <u>December 23, 2003</u> .			
Typed Name	Michael W. Haas, Reg. No. 35,174		
Signature	<i>Michael W. Haas</i>	Date	December 23, 2003



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION of

Inventor : PAWLIKOWSKI et al.  
Appln. No. : 10/016,506  
Conf. No.: : 9080  
Filed: : December 10, 2001  
Title: : SYSTEM AND METHOD FOR UPGRADING A MEDICAL  
DEVICE  
Group Art Unit : 3626  
Examiner : Morgan, R.  
Docket No. : 00-22

\* \* \* \* \*

December 23, 2003

INFORMATION DISCLOSURE STATEMENT

Hon. Commissioner of Patents  
and Trademarks  
Alexandria, VA 22313-1450

Sir:

Attached is a Form PTO-1449 listing the enclosed documents.

I hereby certify that each enclosed document listed on the herewith Form PTO-1449 was cited in the attached PCT Written Opinion, dated December 3, 2003, issued in a counterpart foreign application not more than three months ago.

This Information Disclosure Statement is intended to be in full compliance with the rules, but should the Examiner find any part of its required content to have been omitted, prompt notice to that effect is earnestly solicited, along with additional time under Rule 97(f), to enable Applicant to comply fully.

**CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8(a)**

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on December 23, 2003 with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

*Michael W. Haas*

Michael W. Haas, Reg. No. 35,174

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GROUP 3600

PAWLIKOWSKI et al. -- Appln. No.: 10/016,506

Consideration of the foregoing and enclosures plus the return of a copy of the herewith Form PTO-1449 with the Examiner's initials in the left column per M.P.E.P. § 609 along with an early action on the merits of this application are earnestly solicited.

Respectfully submitted,

By Michael W. Haas

Michael W. Haas

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<b>PTO/SB/08 Form (RESPIRONICS Version)</b>  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>				<b>Application No.</b>	10/016,506
				<b>Filing Date</b>	December 10, 2001
				<b>Inventor</b>	PAWLIKOWSKI et al.
				<b>Confirmation No.</b>	9080
				<b>Group Art Unit</b>	3626
<b>Date</b>	December 23, 2003			<b>Examiner:</b>	Morgan, R.
<b>Sheet</b>	1	of	1	<b>Attorney Docket No:</b>	00-22

U.S. PATENT DOCUMENTS						
Examiner Initials	Cite No.	U.S. Patent Document		Name of Patentee	Publication Date MM-DD-YYYY	Relevant Pages, Columns, Lines
		Number	Kind Code			
	A	5,843,138		EVERS et al.	12-01-1998	
	B	5,800,473		FAISANDIER	09-01-1998	
	C	5,456,692		SMITH, JR. et al.	10-10-1995	
	D					
	E					
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FOREIGN PATENT DOCUMENTS								
Examiner Initials	Cite No.	Foreign Patent Document			Patentee or Applicant	Publication Date MM-DD-YYY	Relevant Pages, Columns, Lines	T
		Office	Number	Kind Code				
	Q							
	R							
	S							
	T							
	U							
	V							
	W							
	X							

<b>Examiner Signature</b>		<b>Date Considered</b>	
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EXAMINER: Initial if citation is considered, whether or not citation is in conformance with MPEP § 609. Draw a line through the citation if not in conformance and not considered. Per MPEP § 609, include a copy of this form with the next communication to the Applicant.